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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/691,899	10/22/2003	Lawrence Richenstein		6605

7590 09/29/2004  
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Suite 900  
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Los Angeles, CA 90067

EXAMINER

MILORD, MARCEAU

ART UNIT	PAPER NUMBER
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2682

DATE MAILED: 09/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/691,899

Applicant(s)

RICHENSTEIN ET AL.

Examiner

Marceau Milord

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 22 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- 1) ☐ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1- 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Borchardt et al (US Patent No 6215981 B1) in view of Divon et al (US Patent No 6301513 B1).

Regarding claims 1-2, 4, Borchardt et al discloses a wireless audio distribution system (figs. 1-2), comprising: a wireless transmitter (20 of figs. 1-2), responsive to a plurality of audio input channels (40 of fig 2A), for transmitting a encoded digital bit stream serially combining each of the audio input channel (col. 7, lines 6-33; col. 7, line 44- col. 8, line 10), the encoded digital bit stream further including control data disbursed therein; a receiver, responsive to the transmitted encoded digital bit stream, for decoding and demultiplexing the digital bit stream (col. 5, line 29- col. 6, line 46; col. 7, lines 26-65; col. 9, line 20- col. 10, line 21).

However, Borchardt et al does not specifically disclose a manual selector switch, connected to the receiver device for selecting one or more of the audio input channels to be

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reproduced; and a sound-producing device for selectively reproducing the one or more selected audio channels in accordance with the control data.

On the other hand, Divon et al, from the same field of endeavor, discloses a vocal information system with the capability of retrieving and playing digital and audio data together with an audio system and associated cassette. The audio system, which includes a radio receiver, a digital storage unit, a command input, a command input unit for receiving listener commands, a digital vocalizer and a sound player. The vocalizer converts data stored on the digital storage unit to audio signals and enables the listener to browse through and mark data stored in the digital storage unit (col. 1, line 36- col. 2, line 54; col. 3, lines 1-45; col. 11, line 38- col. 12, line 65). Furthermore, Divon shows in figure 23A, a wireless remote controller that transmits the commands to a remote control receiver connected to computer where computer retrieves information based on the user's commands and converts the information to an audio signal which is then transmitted via an audio transmitter to radio receiver (col. 6, line 61- col. 7, line 60; col. 9, lines 26-62; col. 13, lines 1-65; col. 16, line 60- col. 17, line 37). In addition, the output of the modulator is provided to a transmitter, which operates to create a radio frequency signal from the modulated signal, amplifying the signal and matching impedance with the combiner. The RF signal is then combined with the other radio signals by combiner 814 and provided to the RF IN line of the audio system (col. 21, lines 1- 66). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the technique of Divon to the communication system of Borchardt in order to provide a vocal information system with the capability of retrieving and playing digital and audio data.

Regarding claim 3, Borchardt et al as modified discloses a wireless audio distribution system (figs. 1-2), wherein the sound producing device further comprises: a comparator for comparing two segments in different fixed positions within the bit stream to detect an error event (col. 7, line 44- col. 8, line 65).

Regarding claim 5, Borchardt et al as modified discloses a wireless audio distribution system (figs. 1-2), wherein the encoded bit stream further comprises: a header section; and a body section including a plurality of fixed sequences of data representing audio from each of the audio input channels, the sequences separated by control data (col. 5, line 29- col. 6, line 46; col. 7, lines 26-65; col. 9, line 20- col. 10, line 21).

Regarding claim 6, Borchardt et al as modified discloses a wireless audio distribution system (figs. 1-2), wherein the header further comprises synchronization signals for synchronizing the decoding of the digital bit stream with the transmission of that bit stream (col. 8, line 6- col. 9, line 36).

Regarding claim 7, Borchardt et al as modified discloses a wireless audio distribution system (figs. 1-2), wherein the wireless audio distribution system is positioned in a vehicle including a headliner and the wireless transmitter is positioned behind the headliner (col. 9, line 20- col. 10, line 21).

Regarding claim 8, Borchardt et al as modified discloses a wireless audio distribution system (figs. 1-2), wherein the encoded bit stream further comprises: a header section; and a body section including a plurality of fixed sequences of data representing audio from each of the audio input channels, the sequences separated by control data (col. 5, line 29- col. 6, line 46; col. 7, lines 26-65; col. 9, line 20- col. 10, line 21).

Regarding claim 9, Borchardt et al as modified discloses a wireless audio distribution system (figs. 1-2), wherein the header further comprises: synchronization signals for synchronizing the decoding of the digital bit stream with the transmission of that bit stream (col. 8, line 6- col. 9, line 36).

Regarding claim 10, Borchardt et al as modified discloses a wireless audio distribution system (figs. 1-2), wherein the wireless audio distribution system is positioned in a vehicle including a headliner and the wireless transmitter is positioned behind the headliner (col. 9, line 20- col. 10, line 21).

Regarding claim 11, Borchardt et al as modified discloses a wireless audio distribution system (figs. 1-2), wherein the wireless audio distribution system is positioned in a vehicle including a headliner and the wireless transmitter is positioned behind the headliner (col. 9, line 20- col. 10, line 21).

### *Conclusion*

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Bbarber et al US Patent No 6128668 discloses a selective transformation of multimedia objects.

Spaur et al discloses a communication of information including data between a remote computer and a vehicle that is managed and facilitated using an apparatus compatible with standardized network communication links.

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Williams discloses a system for redistributing a broadband audio-visual data signal to a multiplicity of receiver units within a multiple dwelling unit that includes a main receiving antenna that receives a broadband video/audio data signal.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marceau Milord whose telephone number is 703-306-3023. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian C. Chin can be reached on 703-308-6739. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MARCEAU MILORD

Marceau Milord  
Examiner  
Art Unit 2682

  
**MARCEAU MILORD**  
**PRIMARY EXAMINER**